

**BUSINESS REPORT**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Tuesday, March 31, 2009  
**Place:** Capitol

**Time:** 9:00 am  
**Room:** 303

**BILLS and RESOLUTIONS HEARD:**

HB 533, HB 574, HR 24

**EXECUTIVE ACTION TAKEN:**

SR 24-Be Adopted, HB 533-Be Concurred In, HB 574-Be Concurred In  
As Amended, HB 431-Removed from the Table/Tabled, HB 536-Be  
Concurred In As Amended

**COMMENTS:**

  
SEN. Gary L. Perry, Chairman

**MONTANA STATE SENATE**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE: 5/31/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT	/	
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN	/	
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDA MOSS	/	
SENATOR TERRY MURPHY	/	



## SENATE STANDING COMMITTEE REPORT

March 31, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Resolution 24** (first reading copy -- white) **be adopted**.

Signed:

A handwritten signature in black ink, appearing to read "Gary L. Perky".

*Senator Gary L. Perky, Chair*

- END -

**Committee Vote:**

**Yes 12, No 0**

Fiscal Note Required ☐

SR0024001SC.sdr



## SENATE STANDING COMMITTEE REPORT

March 31, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 533** (third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Senator Gary L. Perry, Chair*

To be carried by Senator Larry Jent

- END -

**Committee Vote:**

**Yes 11, No 1**

Fiscal Note Required ☐

HB0533001SC01432.sdr



## SENATE STANDING COMMITTEE REPORT

March 31, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 574** (third reading copy -- blue) be concurred in as amended.

Signed:

*Senator Gary L. Perry, Chair*

To be carried by Senator Larry Jent

And, that such amendments read:

1. Page 1, line 13.

**Following:** "~~knowingly or purposely~~"

**Insert:** "knowingly or purposely"

2. Page 1, line 13 through line 14.

**Following:** "offense" on line 13

**Strike:** remainder of line 13 through "OFFENSE," on line 14

3. Page 1, line 18.

**Following:** "~~knowingly or purposely~~"

**Insert:** "knowingly or purposely"

4. Page 1, line 18 through line 19.

**Following:** "offense" on line 18

**Strike:** remainder of line 18 through "OFFENSE," on line 19

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required \_\_\_\_

HB0574001SC01432.sdr



## SENATE STANDING COMMITTEE REPORT

March 31, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 536** (third reading copy -- blue) **be concurred in as amended.**

Signed: \_\_\_\_\_

*Senator Gary L. Perry, Chair*

To be carried by Senator Jesse Laslovich

**And, that such amendments read:**

1. Page 1, line 19.

**Following:** "shall"

**Insert:** "restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device during the probationary period or"

2. Page 1, line 19 through line 20.

**Following:** "that" on line 19

**Strike:** remainder of line 19 through "(a)" on line 20

3. Page 1, line 21.

**Following:** "61-8-421"

**Strike:** "; or"

**Insert:** "."

4. Page 1, line 22 through line 26.

**Strike:** subsection (b) in its entirety

- END -

**Committee Vote:**

**Yes 8, No 4**

Fiscal Note Required \_\_\_\_


HB0536001SC01328.sdr

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO		BILL/AMENDMENT	AYE	NO
HB 269 amend	✓		3/23	HB 362 amend	✓	
HB 269 concurs as amended	✓			HB 362 concurs as amended	✓	
HB 177 amend	✓			3/31	HB 536 concurs as amended	✓
HB 177 concurs as amended	✓					
HB 403 concurs	✓					
3/25/09 HB 235 concurs		✓				
HB 235 rev. table	✓					
HB 517 amend	✓					
HB 517 concurs as amend	✓					

sen.  (Signature) Date 1-5-09

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee  
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT      AYE      NO

3/16/09	HB 298 beconcur	✓	
3/25/09	HB 591 amend	✓	
	HB 591 concur as	✓	
	amend		
	HB 301 amend		✓
	HB 301 conc. amen.		✓
	HB 301 TABLE		✓
	HB 301 concur	✓	
	HB 295 reconsi.		✓
3/27/09	HB 536 concur	✓	
	as amend		
	HB 628 @MOM	✓	
	<del>HB 536 Laslovich</del>		

BILL/AMENDMENT      AYE      NO

3/30/09	HB 228 228.24	X	
	HB 228 Be on TMS		
	AMENDED	X	
3/31/09	SR 24 DOPASS	✓	
	HB 533 concur	✓	
	HB 574 amend	✓	
	HB 574 Laslo.	✓	
	amend.		
	HB 574 concur	✓	
	as amended		
	HB 431 Laslovich	not	✓
	HB 431 Sub TABLE	✓	
	HB 536 Laslovich	✓	
	amendment		

Sen. \_\_\_\_\_

(Signature)

Date 1-5-09



# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee  
because of other commitments. I desire to leave my proxy vote with:

Senator Perry

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

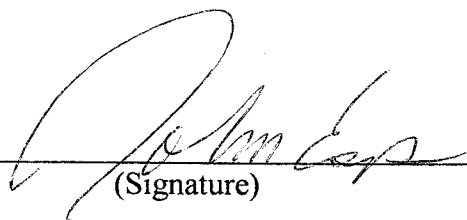
BILL/AMENDMENT

AYE NO

3/31/09

HB 536 concurs as amended	✓	


Sen. \_\_\_\_\_

  
(Signature)

Date 1-5-09

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Senator Dan McGee

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

SB 285 <del>AMEND</del> <sup>AMEND</sup>	✓	
SB 285 <del>DO PASS</del>		✓
3/31/09 HB 574 Laslovich	✓	
amend		
HB 574 concurs	✓	
as amend.		
HB 431 <sup>Laslovich</sup> amend		✓
HB 431 SubTABLE	✓	
HB 536 Laslovich		
amendment	✓	

BILL/AMENDMENT                      AYE      NO


Sen. Anthony Curran  
(Signature)

Date 1-5-09

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Moss

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

<del>3/13/09</del>		
HB 477 concus	✓	
HB 504 concus	✓	
HB 216 concus	✓	
HB 95 amend	✓	
HB 95 concus as amend.	✓	
SR 24 DOPASS	✓	
(BeA options)		


Sen. George F. Moss

(Signature)

Date \_\_\_\_\_

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee  
because of other commitments. I desire to leave my proxy vote with:

SENATOR PERRY

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
3/6/08 HB 308 amend	✓	
<del>HB 308 amend</del>		
<del>HB 308 amend</del>		
3/30/09 HB 102 rem. from		✓
TABLE		
3/31/09 SR 24 DOPASS	✓	
(Be Adopted)		

BILL/AMENDMENT	AYE	NO

Sen. [Signature]  
(Signature)

Date 7-1-5-09

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee  
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

BILL/AMENDMENT                      AYE      NO

2/16/09	SB 364 TABLE	✓	
	SB 400 DO PASS	✓	
3/26/09	HB 477 concurs	✓	
3/31/09	SR 24 do-pass. (Bell report)	✓	


Sen. Lynne Bur  
(Signature)

Date 1-5-09

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Senate Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Sen Laslovich

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

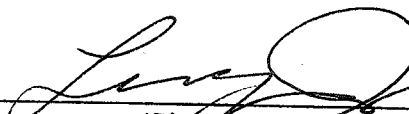
AYE NO

BILL/AMENDMENT

AYE NO

3/26/09	HB 477 concus	✓	
	HB 504 concus	✓	
	HB 216 concus	✓	
	HB 95 amend	✓	
	HB 95 concus as amended	✓	
3/30/09	HB 102 rem. from the TABLE	✓	
	HB 534 <sup>Shockley #1</sup> amend.		
	053408. aig	✓	
	HB 534 <sup>asp #2</sup> amend.	✓	
	<del>HB 534</del>		
	HB 534 <sup>Shockley #3</sup>	✓	
	sub. amend		

3/30/09	HB 534 <sup>#4</sup> Laslovich	✓	
	reinsert # 6		
	HB 534 concus as amended	✓	
	<del>HB 534 concus</del>		
	<del>HB 534</del>		
3/31/09	SR 24 DO PASS	✓	
	(Be Adopted)		

Sen.   
(Signature)

Date \_\_\_\_\_

(Sen. print)

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/31/09 BILL NO H843 / MOTION NO. 1  
MOTION: \_\_\_\_\_

*Removed from Table*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		
SENATOR TERRY MURPHY		<input checked="" type="checkbox"/>	
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP		<input checked="" type="checkbox"/>	
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>		
SENATOR GARY PERRY, CHAIRMAN		<input checked="" type="checkbox"/>	

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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/31/09 BILL NO. 48431 MOTION NO. 3  
 MOTION: \_\_\_\_\_

*amend (Laslovich)*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<input checked="" type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>		
SENATOR AUBYN CURTISS		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		
SENATOR TERRY MURPHY		<input checked="" type="checkbox"/>	
SENATOR LYNDA MOSS	<input checked="" type="checkbox"/>		
SENATOR JOHN ESP		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		
SENATOR CAROL JUNEAU	<input checked="" type="checkbox"/>		
SENATOR GREG HINKLE		<input checked="" type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>		
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 3/31/09 BILL NO. HBS36 MOTION NO. 3  
MOTION: \_\_\_\_\_

Be Concurred In As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<u>/</u>		
SENATOR JESSE LASLOVICH	<u>/</u>		
SENATOR AUBYN CURTISS	<u>/</u>		
SENATOR LARRY JENT		<u>/</u>	
SENATOR TERRY MURPHY		<u>/</u>	
SENATOR LYNDA MOSS	<u>/</u>		
SENATOR JOHN ESP	<u>/</u>		<u>/</u>
SENATOR CLIFF LARSEN	<u>/</u>		
SENATOR CAROL JUNEAU		<u>/</u>	
SENATOR GREG HINKLE		<u>/</u>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<u>/</u>		
SENATOR GARY PERRY, CHAIRMAN	<u>/</u>		<u>/</u>

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**MONTANA STATE SENATE**  
**Visitors Register**

Judiciary Committee

Date 3/31/09

Bill No. HB-533 Sponsor(s) Rep. J. Taylor

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Tim Smith	County Atty	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA STATE SENATE**  
**Visitors Register**

Judiciary Committee

Date 3/31/09

Bill No. HB-574 Sponsor(s) Rep. C. Vincent

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Tim Smith	County Attys	✓		
Lisa Kiek	self	✓		
Molly Kirk	self	✓		
Tammy Johnson	self	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA STATE SENATE**  
**Visitors Register**

Judiciary Committee

Date 3/31/09

Bill No. SR-24 Sponsor(s) Sen. G. Perry

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Bruce Nelson	Gov. office	X		
Mike Ferriter	Cov. 11	R		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.